

Resolution of Council

26 July 2021

Item 6.6

Transport for NSW - Light Rail - Section 29 Land Acquisition Agreement and Land Transfers to the City

It is resolved that Council:

- (A) note that the City and Transport for NSW have agreed that no compensation will be payable under the Land Acquisition (Just Terms Compensation) Act 1991 for land or property interests acquired by Transport for NSW for the CBD and South East Light Rail Project;
- (B) note that Transport for NSW have agreed to transfer land surplus to the CBD and South East Light Rail for no consideration to the City;
- (C) in respect of 'Eddie Ward Park', corner of Marlborough and Devonshire Streets, Surry Hills, endorse:
 - (i) Transport for NSW acquiring proposed Lot 2 in, plan of acquisition, Deposited Plan 1260627 (Acquisition Land) from the City pursuant to section 29 of the Land Acquisition (Just Terms Compensation) Act 1991;
 - (ii) Transport for NSW dedicating to the City as Public Road proposed Lots 11 and 12 in, plan of subdivision, Deposited Plan 1266757 (Compensation Land); and
 - (iii) the pre-existing easements over proposed Lot 12 in Deposited Plan 1266757 for electricity and water;
- (D) in respect of 'Wimbo Park', Surry Hills, endorse:
 - (i) Transport for NSW acquiring the following land from the City pursuant to section 29 of the Land Acquisition (Just Terms Compensation) Act 1991:
 - Part 560-576 Bourke Street, Surry Hills, being community land shown as proposed Lot 2 affecting Lots 6 and 7 in Deposited Plan 456577, (Acquisition Land);

- Part of Olivia Lane, being road and shown as proposed Lot 4, (Acquisition Land); and
 - Part of Parkham Place being road and shown as proposed Lot 5, (Acquisition Land);
- (ii) Transport for NSW:
- transferring land forming part of 3 Olivia Lane and part 625-629 South Dowling Street, Surry Hills being proposed Lots 2, 3, 4, 5, 6 and 8 in the proposed plan of subdivision (PPN 1272206) being part of Lot 10 in Deposited Plan 817603 and Lot 12 in Deposited Plan 1194942 for community purposes (Compensation Land); and
 - dedicating as road, pursuant to the Roads Act 1993, and forming part of 3 Olivia Lane, proposed Lot 9 at the corner of Parkham Place and Nobbs Lane and proposed Lot 10 at the corner of Parkham Lane and Parkham Place in the proposed plan of subdivision of Lot 10 in Deposited Plan 817603 and Lot 12 in Deposited Plan 1194942 (Compensation Land);
- (iii) the grant by the City of a 25-year licence for carparking to South Eastern Area Health Service over proposed Lots 4,5 and 6 in proposed plan of subdivision(PPN.1272206) as part of the conditions inherited from Transport for NSW from the Sydney Light Rail Project consent; and
- (iv) the grant of various easements benefitting Transport for NSW as described within the report for the purpose of the Sydney Light Rail Project;
- (E) in respect of 'Anzac Parade', Moore Park endorse:
- (i) Transport for NSW acquiring from the City a stratum below part of Anzac Parade, Lot 2 in Plan of Acquisition, Deposited Plan 1266334 pursuant to section 29 of the Land Acquisition (Just Terms Compensation) Act 1991 (Acquisition Land); and
- (ii) Transport for NSW dedicating as road, pursuant to the Roads Act 1993, proposed Lots 5 and 6 in the proposed plan of subdivision (PPN 1271476) being part of Lot 2 in Deposited Plan 739594 (Compensation Land);
- (F) delegate authority to the Chief Executive Officer to finalise the negotiation of any terms and conditions of the Section 29 Land Acquisition Agreement and Land Transfer Agreements and any other documents required to support these transactions, and to execute any documentation necessary to give effect to the transactions approved by these resolutions;
- (G) endorse the proposed resolution: 'It is resolved to classify the City acquired property being a subdivision of Lot 10 in Deposited Plan 817603 and Lot 2 in Deposited Plan 1194942, and further described as proposed Lots 2, 3, 4, 5, 6 and 8 in proposed plan of subdivision no.1272206, as operational land in accordance with section 31 of the Local Government Act 1993' be publicly notified for a period of 28 days prior to or following the completion of the acquisition; and

(H) note that a further report, to inform the outcomes of public notification and recommendation on land classification, will follow any notification period.

Carried unanimously.

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